UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

No: 08-2494

David Sieverding;
Kay Sieverding,
Plaintiffs - Appellants
v.
Faegre & Benson LLP,
Defendant - Appellee

Appeal from U.S. District Court for the District of Minnesota - Minneapolis
(0:08-cv-01064-PAM)

JUDGMENT

This court has reviewed the original file of the United States District Court. It is ordered by the court that the judgment of the district court is summarily affirmed. See Eighth Circuit Rule 47A(a). Appellants' motion to compel mediation services is denied.

July 25, 2008

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

David and Kay Sieverding, Civil No. 08-1064 (PAM/JSM)

Plaintiffs,

v.

ORDER

Faegre & Benson LLP,

Defendant.

This matter is before the Court on Defendants' Motion to Enforce Order. In this Motion, Defendant Faegre & Benson seeks to enforce orders entered by Judge Tunheim of this Court, Sieverding v. Faegre & Benson, 2005 WL 1431577 (May 23, 2005), and orders of the United States District Court for the District of Colorado and the United States Court of Appeals for the Tenth Circuit, see Sieverding v. Colo. Bar Ass'n, 2005 WL 928748 (10th Cir. Apr. 22, 2005). These orders prohibit Plaintiffs from instituting without the assistance of counsel any action related to a dispute between Plaintiffs and their neighbors and the resulting newspaper coverage of that dispute.[1] See Sieverding v. Colo. Bar Ass'n, 2003 WL 22400218 (D. Colo. October 14, 2003).

In their separate responses, Plaintiffs do not address Defendant's contention that they are precluded from bringing this lawsuit because of the court orders listed above. Rather, they ask the Court to provide

them counsel. However, the above orders require Plaintiffs to obtain counsel before filing a lawsuit, not to seek appointed counsel after such lawsuit is filed. Moreover, there is no right to counsel in a civil matter, and the Court is without the power to appoint counsel in this situation.

The Court finds that the instant lawsuit is in violation of the orders of Judge Tunheim and of the Colorado courts. Therefore, pursuant to Rule 41[2], the Court dismisses this matter without prejudice. Should Plaintiffs wish to press their claims, they must secure the assistance of an attorney prior to filing any lawsuit relating in any way to the events described in the above orders.

Accordingly, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion to Enforce Order (Docket No. 4) is **GRANTED**; and

2. The Amended Complaint (Docket No. 2) is **DISMISSED without prejudice**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: Tuesday, June 3, 2008

s/Paul S. Magnuson
Paul S. Magnuson
United States Distric Court Judge

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ORDER

The petition for rehearing en banc is denied. The petition for rehearing by the panel is also denied. Chief Judge Loken and Judge Melloy took no part in the consideration or decision of this matter.

September 19, 2008

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

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Appellee

Appeal from U.S. District Court for the District of Minnesota - Minneapolis
(0:08-cv-01064-PAM)

ORDER

Appellants' motion for identification of reasons why petition was summarily dismissed has been considered by the court and is denied.

October 9,2008

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans